

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Shankar et al.

Serial No.: 10/039,743

Examiner: F. Oropeza

Filed: 10/26/2001

Art Unit: 3762

Docket No.: SJ1-026US

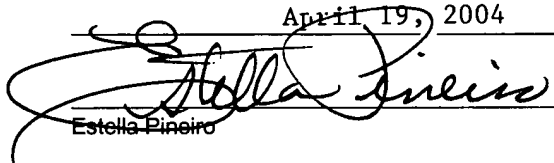
For: IMPLANTABLE CARDIAC THERAPY DEVICE WITH DUAL  
CHAMBER CAN TO ISOLATE HIGH-FREQUENCY CIRCUITRY

**DECLARATION UNDER 37 CFR 1.131**

I hereby certify that this correspondence is being deposited with the  
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Alexandria, VA 22313-1450

April 19, 2004

  
Estella Pinciro Date 4/19/04

Sir:

I, **Mark W. Kroll**, declare that:

- 1) I am one of the named co-inventors of the above-identified patent application, which was filed on October 26, 2001.
- 2) I contributed to the conception and constructive reduction to practice of the invention, in the United States of America, as evidenced by the following:
  - a) prior to January 16, 2001 (the filing date of U.S. Patent Application Serial Number 2002/0095195), the invention was conceived in the United States of America by Balakrishnan Shankar, Matthew Whitlock, and me, and was submitted on an invention disclosure form with attached drawings to our Legal Department (see **Exhibit A (with date redacted)**);
  - b) on October 27, 2000, a memorandum from Malcolm Romano, former chief patent counsel of Pacesetter Inc., the assignee of the above identified patent application, was sent acknowledging our invention disclosure (see **Exhibit B**);

**PATENT**

c) on March 9, 2001, our invention, as disclosed in the above identified invention disclosure was authorized for filing as a patent application, as evidenced by a memorandum dated March 15, 2001 (see **Exhibit C**);

d) the invention disclosure was sent to Brian Pangrle, Esq., on or about June 12, 2001 for preparation of the patent application (see **Exhibit D**); and

e) the application based upon the invention disclosure was filed with the United States Patent Office on October 26, 2001.

3) The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

29 March 2004  
Date

Mark W. Kroll  
Mark W. Kroll

**ALL-PURPOSE ACKNOWLEDGEMENT**

State of California )  
County of Los Angeles )

On MARCH 29, 2004, before me, CHERYL MERCY, Notary Public, personally appeared **Mark W. Kroll**, personally known to me OR ~~proved to me on the basis of satisfactory evidence~~ to be the person ~~(X)~~ whose name ~~(s)~~ is/are subscribed to the within instrument and acknowledged to me that ~~he/she/they~~ executed the same in ~~his/her/their~~ authorized capacity ~~(ies)~~, and that by ~~his/her/their~~ signature ~~(X)~~ on the instrument the person ~~(X)~~, or the entity upon behalf of which the person ~~(X)~~ acted, executed the instrument.

Witness my hand and official seal.

Signature of Notary

